IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 3 OF 2006

Mr. Neelesh Keshav
Neurekar through
his Power of Attorney
Shri Gopal R. Prabhu
Gaonkar, Caranzalem. ... Petitioner

versus

Mrs. Reena Jain and
others. ... Respondents

Mr. A. N. S. Nadkarni, Advocate for the Petitioner.

CORAM : N. A. BRITTO, J.

DATE : 23RD FEBRUARY,2006.

P.C.:-

Heard Mr. A. N. S. Nadkarni, the learned Counsel on behalf of the petitioner.

The petitioner has invoked the extraordinary jurisdiction of this Court under Section 482 of the Code of Criminal Procedure, 1973 against the Order dated 14-1-2005 of the learned J.M.F.C., Margao issuing process against him under

Section 420 r/w 34 I.P.C. The petitioner has a revisional remedy against an Order issuing process. A revision can be entertained by the Court of Sessions as well as by this Court. In the light of what has been stated by this Court in Criminal Miscellaneous Application No.52 of 2005 by Order dated 6-4-2005 and in the case reported in (2005(2) Bom C.R.(Cri) 738) this Criminal Writ Petition shall be returned to the petitioner to be presented before the Court of Sessions, Margao and in case the same is presented to the Court of Sessions, the same shall be treated as a revision petition and shall be disposed of in accordance with law. The delay, if any, shall not come in the way of the petitioner in case the petition is presented within a period of 10 days to the learned Sessions Judge after the same is returned to the petitioner by the Registrar of this Court.

N. A. BRITTO, J.

RD